



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(ENERGY, INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

March 17, 2015

The Honorable Cynthia Giles
Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
Washington, D.C. 20460

Subj: RCRA 7003 UNILATERAL ADMINISTRATIVE ORDER, GORST CREEK
LANDFILL, PORT ORCHARD, WASHINGTON

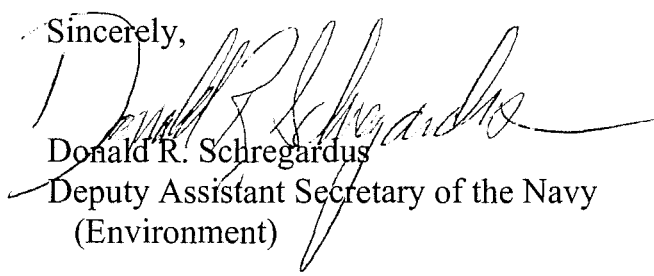
Dear Ms. Giles:

This responds to your February 26, 2015 letter conveying your decision to finalize the Unilateral Administrative Order (UAO) issued by the U.S. Environmental Protection Agency (EPA) to the Department of the Navy (Navy) under Section 7003 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6973, dated October 9, 2014. The Navy will continue to work cooperatively with EPA to address the issues presented by the Gorst Creek Landfill. It is the Navy's goal that discussions with EPA and the Department of Justice (DOJ) include any potentially responsible parties, and proceed towards a resolution under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 *et seq.*

The Navy takes seriously its responsibility for stewardship of both the environment and taxpayer dollars. As stated during the conference with EPA on November 21, 2014, the Navy will strive to reach agreement with EPA on a CERCLA remedial plan tailored to address the potential environmental issues presented by the Gorst Creek Landfill.

The Navy reasserts that it has neither legal authority nor congressional appropriations to take the response actions stated in the UAO. However, as stated above, the Navy will work cooperatively with EPA towards development of a response action and settlement under CERCLA. The Navy welcomes the opportunity to engage in further substantive discussion at the inter-agency meeting that EPA will be hosting later this month in Seattle.

Sincerely,


Donald R. Schregardus

Deputy Assistant Secretary of the Navy
(Environment)

Copy to:

Administrator, Region 10

Director, Federal Facilities Enforcement Office

Director, Washington State Department of Ecology

Assistant Chief, US Department of Justice, Environmental Defense Section

Naval Litigation Office

Commander, Navy Region Northwest

Commander, Puget Sound Naval Shipyard and Intermediate Maintenance Facility

Commanding Officer, Naval Facilities Engineering Command